

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO**

Before the Honorable William P. Lynch, United States Magistrate Judge

Clerk's Minutes

Case: Jones v. Espanola Mun. Sch. Dist., et al.

Case No.: 13cv741 RB/WPL

Date: February 27, 2014

Attorney for Plaintiff: Theresa V. Hacsí

Attorneys for Defendants: Bryan C. Garcia & Carlos E. Sedillo (for Espanola Mun. Sch. Dist.
and Janette Archuleta)

Scott P. Hatcher (for Martha Fernandez)

Clerk: RAN

Type of Proceeding: Initial Scheduling Conference

Proceedings Commenced: 1:30 p.m.

Court in Recess: 1:53 p.m.

Total Time: **23 minutes**

Proceedings: The Court questioned the parties about Fernandez's motion to consolidate this case with 13cv1250. The School District and Archuleta do not oppose the motion. Plaintiff stated that he does not oppose consolidation provided Defendants do not seek a stay of discovery as to those claims for which qualified immunity is unavailable. Both sets of defendants intend to file motions for summary judgment based on qualified immunity. The Court also asked whether the parties were interested in consolidating a third, older case as well: 12cv565. Defendants stated that they were not interested in consolidating this third case due to differences in counsel, the extent to which the older case has progressed in litigation, and the fact that the older case is intended to have a bench trial, while the two newer cases a jury trial. The Court requested that Defendants draft a proposed order to consolidate the two newer cases.

The Court adopted the Joint Status Report with modifications, as set out in a forthcoming order. The case will follow a 210-day discovery schedule. If the parties later need additional depositions due to consolidation, they may either agree to them or contact the Court for permission.

The parties have not yet made their initial disclosures, in part because Defendants need Plaintiff to release educational records.

The Court will hold a status conference approximately thirty days before the settlement conference, details of which will be provided in a forthcoming order.